



KIRKLEES COUNCIL

**Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
Section 26H/26I**

**CERTIFICATE OF LAWFUL DEVELOPMENT FOR PROPOSED WORKS TO A LISTED
BUILDING**

Application Number: 2025/CL/92520/E

To: William Cartwright
Heritage Planning Design Ltd
Cringeliford
Gawthorpe Lane
Bingley
BD16 4DE

For: Garlands Residential Care Home Ltd

FIRST SCHEDULE CERTIFICATE OF LAWFULNESS FOR PROPOSED WORKS
FOR REPLACEMENT OF SLATE ROOF COVERING WITH
CONCRETE TILE ROOF COVERING

SECOND SCHEDULE GARLANDS RESIDENTIAL CARE HOME, 27, CHURCH
STREET, HECKMONDWIKE, WF16 0AX

**KIRKLEES COUNCIL HEREBY CERTIFY THAT ON 09-SEP-2025 THE OPERATIONS
DESCRIBED IN THE FIRST SCHEDULE THERETO IN RESPECT OF THE LAND
SPECIFIED IN THE SECOND SCHEDULE HERETO AND EDGED RED ON THE
PLANS ATTACHED TO THIS CERTIFICATE WERE LAWFUL WITHIN THE MEANING
OF SECTION 26H OF TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND
CONSERVATION AREAS) ACT 1990, FOR THE FOLLOWING REASONS:**

It is considered, based upon the remit of this certificate, that the proposed works to replace the roof covering at Garlands Residential Care Home, 27 Church Street, Heckmondwike, WF16 0AX do not require listed building consent from the Local Planning Authority as it is considered those works do not directly affect the character of the listed church as a building of special architectural or historic interest.

NOTE: The grant of this certificate does not confer any lawfulness under the provision of the Listed Building Act 1990 to any works other than works to replace the roof covering at Garlands Residential Care Home, 27 Church Street, Heckmondwike, WF16 0AX.

NOTE: The grant of this certificate does not confer any lawfulness under the provisions of the Town and Country Planning Act 1990 for any works that require planning permission from the Local Planning Authority. Should the applicant/owner require a formal determination that planning permission is not required they are strongly advised to apply for a Certificate of Lawfulness under the provisions of Section 192 of the Town and Country Planning Act 1990 with evidence to support that view or they should apply for planning permission to the Local Planning Authority. Either application will be considered upon their own merits including consideration as to the impact on the setting of the listed church and no guarantee can be given that either application will be approved.

This decision is based on the following details(s):-

Plan Type	Reference	Version	Date Received
Application Form	-	-	09/09/2025
Location Plan	0550 01 Rev 0	-	09/09/2025
Written Supporting Statement	-	-	09/09/2025
Information Held by the Local Planning Authority	-	-	-

If the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area
--

NOTES:

- (1) This certificate is issued solely for the purpose of section 26H of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- (2) It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would be lawful on the specified date.
- (3) This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation(s) which are materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- (4) The effect of the certificate is also qualified by the proviso in Section 26H of the 1990 Act, as amended, which states that the lawfulness of a described works are conclusively presumed to be lawful provided that they are carried out within 10 years beginning with the date of issue of the certificate and the certificate is not revoked under section 26I of the 1990 Act

- (5) If the applicant is aggrieved by the decision of the Local Planning Authority to issue a certificate of lawfulness of development, for any part development applied for (including any modification or substitution of the description of the operations), s/he may appeal to the Secretary of State for the Environment in accordance with Regulation 3 of the Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#)

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 20-Jul-2026

Signed:



David Shepherd
Executive Director for Place

Address to which all communications should be sent:-

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL